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10/675,448	09/30/2003	Jeyhan Karaoguz	14310US02	5601

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EXAMINER	
LANGHNOJA, KUNAL N	
ART UNIT	PAPER NUMBER
2427	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/675,448	KARAOGUZ ET AL.	
	Examiner	Art Unit	
	KUNAL LANGHNOJA	2427	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 November 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 11/30/2009 have been fully considered but they are not persuasive.

With respect to claim 1, Applicant argues cited reference fails to teach claimed limitation "automatically routing said generated message to a location that is remote from said first geographic location, based on a prior authorization level of the first device established by a user command, wherein said routing is performed independently of a user location and prior to communicating said generated message to any device within said first geographic location." The examiner respectfully disagrees.

Chen et al teaches user is able to directly enter commands using input device 190 into processor 100, commands may include updating a profile (Col.7 lines 45-51). The intelligent processor 100 uses the updated profile information and routes the media prior to transmitting an alert to the on-premises device (Col.4 lines 57-59). Furthermore, user's configured profile enables him/her to receive alerts at off-premises devices 410, 420 and/or 430 (Col.4 line 57-Col.5 line 25). Wherein, user updating profile located at intelligent processor 100 and routing alerts to an off-premises devices [410, 420, 430] before transmitting them to on-premises devices reads on claimed "automatically routing said generated message to a location that is remote from said first geographic location, based on a prior authorization level of the first device established by a user command and prior to communicating said generated message to any device within said first geographic location." The applicant argues the intelligent processor 100

transmits an alert to the off-premises device 410-430 only if there is no user acknowledgement of an alert transmitted to on-premises devices 330-340. The examiner respectfully disagrees agrees. Col.4 lines 57-59 clearly states "*it should be appreciated that consultation of the profile may be performed before or instead of transmitting an alert to the on-premises devices*" and followed by examples, wherein alert is transmitted to off-premises devices prior to communicating with an on-premises devices (Col.4 lines 60-67, Col.5 lines 1-25).

Furthermore, applicant argues that cited reference fails to teach claimed limitation wherein said routing is performed independently of a user location. The examiner respectfully disagrees. The applicant point to Col.7 line 61- Col.8 line 6, wherein the profile database 174 stores one or more user profiles that indicates where and when an end-user may be reached by a given device. User receiving alert from the processor 100 at an off-premises devices including pager [420] and/or a wireless phone [430] are independent of user location. Consequently, cited reference reads on claimed limitations "automatically routing said generated message to a location that is remote from said first geographic location, based on a prior authorization level of the first device established by a user command, wherein said routing is performed independently of a user location and prior to communicating said generated message to any device within said first geographic location."

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al (United States Patent 6,553,100).

With respect to Claim **1**, the claimed "*receiving, at a first geographic location, an alert from a first device coupled to the communication network*" is met by Chen et al. that teach the use of an intelligent processor (100) in receiving an alert from alarm event detectors (510,520) via a network (200) at a 1st geographic location, i.e. a subscribers' home (*Abstract; Fig.1&5; col.1, lines 17-19; col. 1, lines 54-55; col.2; lines 27-32; col.5, lines 51-54; & col.9, lines 47-48*). The claimed "*generating within a home; a message corresponding to said received alert;*" is met by Chen et al. that teach the generation & transmittal by an intelligent processor (100), located on-premise. (*Fig.5; col.1, lines 61-67; Col.2 lines 42-46, col.6, lines 40-48; col.8, lines 46-53; & col.9, lines 54-57*).

The claimed "automatically *routing said generated message to a location that is remote [410,420, 430] from said first geographic location* (user's home), *based on a prior authorization level of the first device established by a user command*(i.e. user commands to update profile within processor 100 using input device 190 in order to

route alerts to off-premises device 410,420,430), *wherein said routing is performed independently of a user location and prior to communicating said generated message to any device within said first geographic location* (i.e. user updating profile will route the alert to off-premises device instead of on-premise devices)." *(Figures 1 and 2; col.4, lines 51-67, Col.5 lines 1-24 and Col.7 lines 45-51).*

With respect to Claim **2**, the claimed "*comprising displaying said generated message along with a media broadcast on said television screen within said home*" is met by Chen et al. that teach the transmittal of an alert message to a user's television while they are watching a media broadcast (*col.1, lines 61-67; col.3; lines 47-53 and col. 8, lines 34-39 & lines 56-59*).

With respect to Claim **3**, the claimed "*comprising receiving an acknowledgement of said displayed message via a user selection*" is met by Chen et al. that teach the acknowledgement of an alert by the use of an alert acknowledgement input device (318) (*Fig.4; col.4, lines 7-11and col.9, lines 18-25 & lines 58-61*).

With respect to Claim **4**, the claimed "*comprising receiving said acknowledgement via a remote control that controls functions for said television*" is met by Chen et al. that teach the use of a remote control in acknowledging an alert (*col.4, lines 7-11 and col.9, lines 21-25*).

With respect to Claim **5**, the claimed "*comprising terminating display of said generated message upon said receiving of said acknowledgement*" is met by Chen et al. that teach the termination of an alert message once a user acknowledges it (*Fig.5; col.4; lines 12-16; & col. 9, lines 58-67*).

With respect to Claim **6**, the claimed "*wherein said alert indicates a status of at least said first device and a second device*" is met by Chen et al. that teach the use of two alarm event detectors (510,520) that can be integrated into a burglary alarm system, a fire alarm system, a washing machine overflow alert system, an elders emergency alarm system, a kitchen appliance malfunction alarm system, and/or the like. (*Fig.1; col. 5, lines 25-37 & 45-58*).

With respect to Claim **7**, the claimed "*wherein the first device is located outside said home and said second device is located within said home*" is met by Chen et al. that teach the use of alert event detectors (510,520) can either be on-premise or off-premise and directly coupled to the intelligent processor (100) via a network (200). (*Fig.1; col.5, lines 26-37 & 51-58*).

With respect to Claim **8**, the claimed "*comprising receiving said alert via at least one of a wired and a wireless connection*" is met by Chen et al. that teach a the reception of an alert by an intelligent processor (100) via a communication network (200), such as: a Public Switched Telephone Network (PSTN), a cellular network, a data network, an Internet Protocol (IP) network, an Asynchronous Transfer Mode (ATM) network, a circuit switched network, a Voice-over Internet (VOIP) network, a radio or television broadcasting network, and a cable network. (*Fig.1; col.2, lines 34-41*).

With respect to Claim **9**, the claimed "*comprising displaying said generated message for a predetermined period of time*" is met by Chen et al. that teach the displaying of an alert message until the time an alert acknowledgement is received by

the user, either by a simple pressing of a button on a remote control or by the entering of a Personal Identification Number (PIN). (*col.4, lines 7-16; col.9, lines 21-34, 58-67*).

With respect to Claim **10**, the claimed "*comprising displaying said generated message in one or more of a pop-up window, a picture-in-picture (PIP) window and/or a banner on said television screen*" is met by Chen et al. that teach the displaying of an alert notification via a pop-up window, a picture-in-picture (PIP) window and/or a banner on a television screen. (*col.1, lines 61-67; col.3, lines 47-53; col.8, lines 54-59*).

Claims **11** & **21** are met as previously discussed with respect to Claim **1**.

Claims **12** & **22** are met as previously discussed with respect to Claim **2**.

Claims **13** & **23** are met as previously discussed with respect to Claim **3**.

Claims **14** & **24** are met as previously discussed with respect to Claim **4**.

Claims **15** & **25** are met as previously discussed with respect to Claim **5**.

Claims **16** & **26** are met as previously discussed with respect to Claim **6**.

Claims **17** & **27** are met as previously discussed with respect to Claim **7**.

Claims **18** & **28** are met as previously discussed with respect to Claim **8**.

Claims **19** & **29** are met as previously discussed with respect to Claim **9**.

Claims **20** & **30** are met as previously discussed with respect to Claim **10**.

With respect to Claim **31**, the claimed "*wherein said at least one processor is one or more of a media processing system processor, a media management processor, a computer processor, a media exchange software processor and/or a media peripheral processor*" is met by Chen et al. that teach the use of an intelligent processor (100) in receiving, generating, & displaying an alert notification to a user at a first location

(*Abstract; Fig.1&2; col.2, lines 27-32 & lines 42-46; col.3, lines 47-53; col.5, lines 26-29; col.6, lines 15-53*).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUNAL LANGHNOJA whose telephone number is 571-270-3583. The examiner can normally be reached on M-F 10:00 A.M.- 6:00 P.M. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on 571-272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. L./
Examiner, Art Unit 2427

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427